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ABSTRACT

The Massachusetts Education Reform Act of 1993 introduced sweeping changes for public education. The planned changes are programmatic as well as fiscal: organizational modifications were introduced; administrator roles and responsibilities were redefined; particular student populations were targeted for additional academic support; and the method for funding education was completely revamped. This paper examines the significant programmatic and organizational reforms initiated by the legislation and discusses the new funding mechanism. It describes the impact of the act on school districts and on Massachusetts education. A conclusion is that the reforms hold great promise if properly implemented. Problems include the implementation of changes without allowing for sufficient planning time and the unclear status of future appropriations for education. Complicating the situation for towns is the continued effect of Proposition 2 1/2, the mandated tax cap on property taxes. (LMI)

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ED 377 559

The Massachusetts Education Reform Act: What Is It and Will It Work?

Patricia G. Anthony
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Introduction

On June 18, 1993, the Massachusetts Education Reform Act of 1993 took effect, mandating sweeping changes for public education in the Commonwealth of Massachusetts. The changes promise to be programmatic as well as fiscal: organizational modifications were introduced; administrator roles and responsibilities were redefined; particular student populations were targeted for additional academic support; and the method for funding education in Massachusetts was completely revamped.

Will the new Ed. Reform Act deliver on its much heralded promise to provide "a public education system of sufficient quality to extend to all children the opportunity to reach their full potential and to lead lives as participants in the political and social life of the commonwealth and as contributors to its economy[?]"[1] During the past two decades, individual legislators attempting to improve the equity of the State's educational system met with little success. Although several innovative categorical programs were introduced, radical changes in the way education was funded were not forthcoming. Consequently, little changed overall in schools' programmatic quality . During the latter years of the 1980s, with the State mired in recession, the disparity gap between wealthy communities and poor rural and urban schools widened. The crisis culminated during the 1991-92 school year when the State provided only 25% of the monies necessary to fund the schools. Adding insult to injury, a new state-wide school choice program was implemented, the immediate effect of which was the transferral of state dollars from poor urban districts to wealthier neighboring school districts.[2]

With the 1993 Education Reform Act, however, legislators seeking a means for creating a more equitable funding system which would serve to enhance education in poorer districts, discovered that they had a powerful tool for achieving their goal. Just prior to the passage of the Ed. Reform Act, the

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method used for funding education in Massachusetts was found to be unconstitutional.[3] While acknowledging that passage of the Education Reform Act was imminent, the court took a skeptical view, holding that if the pending legislation did not remediate the educational equity problems, then the case could be remanded immediately for a one-judge review.

This paper will examine the significant programmatic and organizational reforms initiated by the Act, and discuss the Act's new funding mechanism. A report on the overall impact of the Reform Act upon school districts thus far will be provided; and the effect of this piece of legislation upon education in Massachusetts will be discussed.

Reforms Introduced by the Act

Reform measures embedded in the Act take one of three forms: programmatic, organizational/procedural, and fiscal. Additionally, two different school choice programs are mandated under the Education Reform Act.

Programmatic Reforms

There are six major programmatic reforms mandated by the Education Reform Act. Each concentrates upon a particular aspect of K-12 education and provides for remediation of current programs.

The common core curriculum. Prior to the passage of the Education Reform Act, no state-wide curriculum existed in the Commonwealth. The Act calls for the State Board of Education to "establish state-wide educational goals for all public elementary and secondary schools in the commonwealth."[4] These goals would translate into a common core of academic subjects that would be taught in all schools. The Act directs the Board to delegate the development of "curriculum frameworks" to the Commissioner of Education who should consult with a variety of experts and community members in determining the content of the frameworks. The curriculum frameworks are to be all encompassing: they must "be of sufficient detail to guide the promulgation of student assessment instruments... be constructed to guide and assist..interested parties in the development and selection of curricula, textbooks, technology, and other instructional materials...be designed to avoid perpetuating gender, cultural,

ethnic or racial stereotypes...[and] reflect sensitivity to different learning styles and impediments to learning."[5]

Standards for mastery of the content of the curriculum frameworks are to be established by the Board. Upon graduation, students will either have earned a "Certificate of Mastery" or a "Certificate of Occupational Proficiency," or both. The Certificate of Mastery signifies that the student graduating has "demonstrated mastery of a comprehensive body of skills, competencies and knowledge comparable to that possessed by accomplished graduates of high school or equivalent programs in the most advanced education systems in the world."[6] The Certificate of Occupational Proficiency will be awarded "to students who successfully complete a comprehensive education and training program in a particular trade or professional skill area and shall reflect a determination that the recipient has demonstrated mastery of a core of skills, competencies and knowledge comparable to that possessed by students of equivalent age entering the particular trade or profession from the most educationally advanced systems in the world."[7]

Time spent in school. The Act mandates that the Board of Education establish the minimum length of the school day and of the school year.[8] The Act directs the Board to extend the time students spend in school, whether by an extension of the school day or by lengthening the school year, "to reflect prevailing norms in advanced industrial countries and to address the educational needs of children in the commonwealth."[9]

Early childhood program. The Act establishes a commission for developing a plan to ensure that every child in the Commonwealth between the ages of 3 and 4 years old is able to participate in a "developmentally appropriate" early childhood education program.[10] Such a plan would incorporate: enrollment of most if not all students on a non-tuition basis; outreach programs to parents "to assist them in providing quality learning opportunities for their children in their home as well as assisting parents to complete their own education;"[11] the contracting with private early childhood programs and/or Head Start programs for the provision of early childhood services; and the establishment

of certification regulations for personnel involved with early childhood programs.

State-wide technology plan. The Act establishes a state-wide technology plan, "Massachusetts Education-on-Line," which will: integrate technology into teaching through the establishment of technology link ups between school districts and higher education institutions; facilitate professional development of educators; and increase the involvement of parents and guardians in their children's education.[12]

Professional development. The Act mandates that every district in the Commonwealth will develop and implement a professional development plan for all district professional staff members, including members of the school council. These plans must be updated annually to reflect the latest in exemplary practices and educational theory.[13]

Parent involvement. The Massachusetts Department of Education is mandated by the Act to create a demonstration project for assessing the effectiveness of various parent outreach programs designed to assist parents of children 1 to 3 years of age. The program found to be most effective in reaching parents and most compatible with the public schools in Massachusetts will be adopted and universally implemented throughout the State beginning in January 1997.[14]

In addition to these above six programmatic reforms, the Act directs the Board of Education to form a commission for the purpose of examining the current effectiveness of bilingual education programs in the Commonwealth;[15] and to conduct a study on special education services currently being offered in the State.[16]

Organizational/Procedural Reforms

Site-based Management. Paramount among the changes wrought by the Education Reform Act is the move towards site-based management. The Act calls for every school in the Commonwealth to establish a school council, consisting of the principal, teachers, parents, community members, and at least one student if the school council is that of a high school.[17] The school councils are to be representative of the racial and ethnic make-up of the school and community.

Their charges are: to identify the educational needs of students attending their school; to assist in reviewing the annual school budget; and to assist in developing a school improvement plan, i.e., a plan by which the educational goals of the school are formulated, adopted, and implemented. The school improvement plan must be submitted and approved by the district's school committee annually.

Hiring and firing responsibilities. The establishment of school councils is but one aspect of the redistribution of power within LEAs. Through the Act, superintendents and principals have been accorded several discretionary responsibilities formerly under the school committees' purview. Superintendents no longer must recommend an individual to the school committee to be hired or fired, subject the school committee's approval. Instead, hiring and termination of teachers falls under the principal's purview, subject to review and approval by the superintendent. The only exception to this rule involves teachers who are employed at more than one school in the district. In such a case, the superintendent hires and fires. Only a superintendent may hire and fire a principal, assistant principal or department head. The school committee still retains the authority to select and dismiss a superintendent.[18]

Expulsion of students. Principals also exercise additional discretionary authority in the expulsion of students. The Act stipulates that principals may expel a student for any of three offenses committed on school grounds or at school-sponsored activities: (1) possessing a weapon (2) possessing a controlled substance; or (3) assaulting any member of the school's educational staff. A student who has been expelled has ten days in which to appeal the decision to the superintendent. A principal, can, if he/she chooses suspend a student rather than expel for the above offenses. However, if the principal decides to do so, then he/she must notify the school committee in writing of that decision and must note that the student will not "pose a threat to the safety, security, and welfare of the other students and staff in the school."[19] Most principals are maintaining that unless they can be absolutely

certain that a student poses no danger to other students or staff, they will expel a student found guilty of any of the three offenses.

Underperforming schools. Under the Act, the State, itself, is also a recipient of additionally granted power in the case of underperforming schools. In the Act, if a **school** fails to improve the academic performance of its students, it will be declared "underperforming," whereupon a fact-finding team will be established to determine the reasons for the school's failure and what prospects it has for improvement. Such a school will be given six months to present a plan for improvement and twenty-four months to improve. If a school fails to demonstrate significant improvement during that time, the school is then declared "chronically underperforming" and the following steps are initiated: (1) the principal will be removed if deemed part of the problem; (2) a new principal appointed will have extraordinary powers, i.e., the principal may dismiss any staff member in the school without regard to state tenure laws; (3) the Commissioner can direct funds to increase staff salaries at the school; (4) additional funding can be provided if the per pupil expenditure in the school is not equal to the average per pupil funding for similar students attending other schools in the district; and (5) the Board of Education is empowered to take actions to increase the number of students attending the school who satisfy student performance standards.

If a **district** is found to be chronically underperforming, similar steps are enacted, ending with the district being turned over to a receiver who reports directly to the Commissioner of Education.

Fiscal Reform

Prior to the passage of the Education Reform Act of 1993, the methods utilized by the state of Massachusetts for funding public education moved along a continuum from poor to disastrous. During the 1970s and early 80s, the state used a percentage-equalizing formula, which was subsequently replaced by a loosely-configured foundation program known as the Needs-Based Formula.[20] In recent years, with the recession hitting hard in Massachusetts, state funding for public schools fell to an historic low, and in June 1993, a

ruling in a state school finance lawsuit was handed down in favor of plaintiff school districts, adding impetus to legislative efforts in formulating a more equitable method for funding schools. The result has culminated in the "Foundation Budget Formula" which is the fiscal component of the Education Reform Act.

In order to fulfill the basic premise underlying the formula, i.e., that a base amount of $5,500[2] is necessary to fund at least an adequate education for every child in the Commonwealth; and that every district must contribute a required amount towards reaching this goal, with the state providing what the district is unable to give, it is helpful to examine four different scenarios. (see Overhead 1.)

Above foundation/above effort. Districts in this quadrant already are expending a per-pupil cost above $5,500, and tax themselves at or above the required tax rate of $9.40 per $1,000. These districts, if they wish, may reduce their local contribution down to an amount that will sustain the foundation budget.

Below foundation/above effort. Districts in this quadrant are currently taxing themselves above the required standard of effort, yet are unable to fund the foundation level of $5,500. These districts are able to maintain their current standard of effort while the state will increase its amount of aid to these districts. The entire amount of new moneys needed will come from the state, as well as a prescribed amount of "equity" that serves as a "reward" for districts having taxed themselves above the required standard of effort.

Above foundation/below effort. These districts already fund a foundation level of $5,500 but do not tax themselves at the required standard of effort of $9.40 per $1,000. Districts in this situation must increase their local contribution by their "municipal growth factor" to gradually assist them in reaching the required standard of effort.

Below foundation/below effort. These districts neither tax themselves at the required standard of effort or fund at the foundation level of $5,500.

These districts must increase their local tax rate in order to increase their local contribution towards the foundation amount. These districts must do so by increasing their local contribution according to an estimated municipal growth factor of 2.6%, and additionally, by decreasing the disparity between their actual FY'94 school spending and the proposed foundation budget by 38%. This last percentage was set by the state as being a reasonable percentage for districts in this quadrant to meet this year.

How the Formula Works

The formula process of determining how much state revenue each district receives begins with each district receiving at least the amount of state aid they received during FY'93. This amount is called "Chapter 70 base aid." On top of that amount, districts may be eligible for three other types of aid: (1) foundation aid or (2) minimum aid, and (3) equity aid. Foundation aid is a percentage of the aid needed to reach the $5,500 student foundation level. (For FY'95, this percentage was set at 38%.) Minimum aid is the least amount of state aid a district can receive; and equity aid is aid provided to districts that have expended a standard of effort that exceeds the state-mandated level of $9.40 per $1,000.

Each district determines the annual foundation budget necessary to run their schools. This is accomplished by adding together all the district's expenses, the categories of which have been itemized by the fiscal section of the Education Reform Act. The budget is premised upon the underlying foundation amount per pupil of at least $5,500. Given the disparities in spending that exist in the state, districts have seven years in which to reach a budget figure that reflects the $5,500 figure, which is adjusted for inflation annually.

The formula then calls for districts to subtract from their proposed foundation budget the amount of money they actually spent during the previous year (see Overhead 2) to derive what is known as the "Spending Gap." The spending gap constitutes the discrepancy existing between the amount needed to fund the proposed district foundation budget for the next year and the actual

amount funded by the district during the current year. For some of the districts, the spending gap is extremely large; for others, there is no spending gap because they already are spending at or above the foundation amount of $5,500. Since for many districts, the task of making up the spending gap in one year would be too onerous, the state determines annually what percentage of the spending gap must be covered each year. For example, for FY'95, the state determined that districts must make up 38% of their spending gap.

If a district is currently taxing itself above the state mandated minimum -- $9.40 per $1,000 -- but is under the foundation level, then the state contributes the amount of the spending gap to be covered. If a district is taxing itself at a rate below the state mandated minimum, then the local district must come up with some or all of the funds to cover the percentage of the spending gap required by the state.

In order not to penalize districts that already are funding the foundation amount of $5,500 through their local contribution, the state has devised a "minimum aid" category which guarantees at least $25 per student to any district which does not receive any foundation aid from the state. If a district does receive foundation aid then that district will not receive minimum aid -- with one exception: in some cases -- for example, Boston -- the amount of foundation aid that the district is receiving does not equal $25 per student. In such a case, the state will provide both the foundation aid and an amount of minimum aid that together would equal $25 per student.

In order to reward communities and school districts that tax themselves above the required standard of effort, the state awards "equity aid" that can go towards community budgets rather than into their schools. Districts that are not taxing themselves at the required standard of effort are not eligible for equity aid.

To recap, every district receives base aid from the state which is equal to the amount of state aid the district received in FY'93. On top of that amount, if a district is taxing itself above the required standard of effort,

but is unable to fund the foundation level of $5,500, then the district receives foundation aid, which for FY'95 equals 38% of the gap in spending between the district's actual spending and the proposed foundation amount. If a district is spending above the foundation level of $5,500 per pupil, and is taxing itself above the required standard of effort, then that district receives both minimum aid moneys ($25 per student) and equity aid funding that may be given to the community for other expenditures. If a district is not spending at the foundation level of $5,500 and is not taxing itself at the required standard of effort, then that district will receive some foundation aid, however, it will also have to increase its local contribution by the municipal growth factor of 2.6%.

To determine the local contribution for each community, the Massachusetts Department of Revenue (DOR) calculates the "adjusted equalized valuation" for each district and its subsequent school tax rate:

1992 Equalized valuation x 1989 average income / State avg. income

The school tax rate for each locality is then:

FY'94 local contribution / adjusted equalized valuation

After determining the tax rate, the DOR calculates what the FY'95 Gross Standard of Effort should be for each community:

FY'94 Gross Standard of Effort x District's Municipal Revenue Growth Factor

The DOR is using an estimated growth factor of 2.6%. The FY'95 standard of effort for each community then becomes either the FY'95 Gross Standard of Effort or the FY'95 foundation budget minus all state monies -- whichever is larger. These calculations by the DOR ultimately determine how much of the spending gap the state will cover for districts that are below the required standard of effort ($9.40) and below the foundation amount ($5,500). For poorer districts, their local contribution will increase by the municipal growth factor (2.6%) and the state will cover the rest of the spending gap; for districts which have been underfunding education, but are financially able to pay more, they will be required to cover the entire 38% of the spending gap.

School Choice

Under the Education Reform Act, two options for school choice exist: charter schools and a state-wide school choice program.

Charter schools. Charter schools are to be public schools in which innovative ideas and practices can flourish. To meet this challenge, charter schools are exempted from Sections 41 and 42 of the Act, which deal with teacher certification regulations and the creation, adoption and implementation of a professional development plan.

Charter schools are to be operated as public schools, however, they operate independent of any school committee. Charter schools do establish boards of trustees which are then deemed public agents authorized by the Commonwealth to operate charter schools. Although parochial and private schools are not eligible for charter school status, virtually all other entities are. Only 25 charter schools will be allowed to operate within the Commonwealth at one time, and the law stipulates how many can co-exist in the different urban and rural areas of the state so that the opportunity to attend one is equitably distributed. A charter school can establish "reasonable academic standards as a condition for eligibility for applicants."[22] Preference in enrollment must be given to the students who are residents of the town or city in which the school exists. There is no admission charge for any charter school. Funding for the charter schools is realized from tuition expended by the sending district: the sending district pays to the charter school the average per pupil expenditure of the district in which the charter school is located. However, if the student is coming from a district which has a lower per pupil expenditure, then the sending district will pay the lesser amount.

State-wide school choice program. The Act provides for the continuation of the state-wide school choice program enacted in 1991-92. This program allows any student in any district to attend another district if that district has indicated they are open to accepting choice students. The Act mandates that if a district does not wish to accept choice students, then the district's

school committee, must, by June 1st of each year, vote to not accept choice students after a public hearing on the issue has been held. Furthermore, if a district chooses to operate an intra-district choice program, out-of-district students must be allowed to attend, however, preference is given to residents. Tuition accompanying the school choice students which is paid to the receiving district must equal 75% of the receiving district's actual per pupil expenditure, not to exceed $5,000. Tuition for an identified special education student is the average cost per prototype[23] with the receiving school district making up any difference in expense. If a student is identified as needing special education services after he/she arrives at the receiving school, then the receiving school district is responsible for those costs. The tuition amount for school choice students is deducted from the sending district's state aid prior to the distribution of state aid to that district.

Districts who demonstrate that they are needy districts, i.e., they are currently receiving foundation aid, will be reimbursed for a portion of the school choice tuition they lose. Reimbursement occurs according to the following plan: the reimbursement will equal 100% of the positive difference between the amount transferred out of the sending district and the product of the number of students transferring and the sending district's cost per pupil.

Current Implementation of the Act

The Education Reform Act took effect immediately upon passage on June 18, 1993 and already major initiatives are underway evincing mixed results.

Programmatic Impact

For several programmatic features of the Act, commissions have been empaneled and charged with specific tasks to implement the new law. Those on early childhood education, the parental involvement demonstration project, and the technology initiative have not reported to date; that on the common core of learning recently released its draft proposal. The professional development feature is one of the more controversial; commentary is provided on how that feature of the law is being interpreted locally.

Common core of learning. To date, the Commission on the Common Core of Learning has developed a draft proposal, to be reviewed in open forums across the Commonwealth, that identifies fifteen principles that will form the foundation of new curriculum guidelines and statewide assessment (effective for the graduating class of 1999). This draft, upon revision, will be adopted by the Board of Education in June of 1994. The principles identified in the draft document include the following:

Students graduating from Massachusetts' schools will be **confident and capable lifelong learners** with well-developed study and work habits, a strong understanding of fundamental concepts and current issues in the essential subject areas, and curious, with a love of learning and pride in a job well done. Schools must provide learning environments that foster these essential attitudes and skills.

Upon graduation, all students must be able to (1) **organize for learning and work**; (2) **acquire, integrate, and apply essential knowledge**; (3) **be skillful and responsive communicators**; (4) **read, write, speak, listen, and observe** effectively; (5) **appreciate visual arts, music, theater, and movement**; (6) **communicate in a second language**; (7) **use technologies and media**; (8) **be clear and creative thinkers**; (9) **define complex problems and generate ideas**; (10) **analyze complex problems and test ideas**; (11) **solve complex problems and apply ideas**; (12) **be responsible and active contributors** to their communities; (13) **understand the rights and responsibilities of citizenship**; (14) **plan for economic success**; and (15) **demonstrate personal and social responsibility**.

Concurrent with the work of this commission have been the deliberations of several task forces charged with developing curriculum frameworks related to specific subject areas, e.g., social studies, that will enact these broad principles into workable substance and processes for schools at all levels.

Professional development. One of the centerpiece features of the new Act is that districts develop and implement substantial professional development initiatives for their staff. In its early versions, the legislation called for a substantial proportion of the local budget to be allocated to professional

development. During debate, this percentage was lowered but still represents a minimum allocation that each district must make to further the growth and development of its staff. Implementation has been controversial, as districts have interpreted the law in various ways, some intending to demonstrate compliance without the allocation of additional monies. For example, one district's central administrative team determined that each day of the school year allocated to curriculum development be included in its professional development plan. By determining the per diem teacher salary amount and multiplying that total by the number of curriculum days apportioned within the school year, the district has been able to demonstrate compliance to the letter of the law, if not its spirit. Since regulations governing this section of the Act are still not out, the question concerning what counts as professional development and what does not is still up in the air.

Other interpretations that favor districts' fiscal stability but do not enact the thrust of the law -- to invest in human capital -- have cropped up throughout the Commonwealth. Clearly, this feature of the law requires the development of a professional development plan and then an infusion of monies into the realization of that plan -- with substantial support from the Department of Education to ensure that the intent of the Act is realized.

The Impact of Organizational, Governance, and Procedural Reforms

Of the four major governance reforms, only one -- the procedures for improving the performance of underperforming schools -- has received little attention, in large part, because its impact will not be felt for several years. The other three are very much in the forefront of reform efforts and are being implemented with considerable divergence of interpretation.

Site-based management and school councils. The Education Reform Act calls for schools to develop a proposal for their school councils, and to form and hold the first meeting of that body no more than 40 days after the first day of school. While districts and individual schools were largely in compliance with this edict, the responsibilities of the councils have been widely debated. The controversy arises, in part, because of the language of the Act.

Clearly calling for site-based and participatory management processes, the Act also states that the school councils will serve in an advisory capacity. Local councils have been unsure what their governance powers are. Further complicating effective implementation of these bodies is the Department of Education which has blanketed the councils with pamphlets, inservice demands, and directives; several observers note that this has **not** clarified their role, only further confused it.

Personnel responsibilities. Devolving responsibility for the hiring and firing of personnel to school principals is another highly controversial feature of the Act. Some argue that this reasonably vests authority for the staffing of a building with the individual charged with responsibility for its effective operation (especially given the procedures for underperforming schools). On the other hand, some individuals argue that past practice, i.e., review by the school committee of all firings and hirings, ensured a balance against excessive patronage; without this review, principals can wield considerable, largely unchecked, power in hiring and firing staff. Both arguments have merit and are still hotly debated.

Expulsion of students. The Act also grants principals additional discretionary authority in expelling students, under certain conditions. Of these, the last -- expelling students who assault a member of the educational staff -- has been, in some cases, interpreted loosely. The term, assault, has been interpreted in at least one case as including verbal assault. In that case, extremely foul language used against a staff person caused the principal to expel the student. Additionally, principals have been reluctant to exercise the option of suspending a student with a written memo asserting that the student poses no further threat to other students or staff because of vulnerability to liability should the student repeat an expellable offense.

Status of Fiscal Reform

The fiscal section of the Education Reform Act took effect in September 1993, and, for the most part, has been well-received by most school districts although the cumbersome explanations of the actual funding formula are

disconcerting. There are, however, three aspects of the funding formula that the Massachusetts Association of School Superintendents (M.A.S.S.) would like to see modified.

First, the language of the law allows communities that are taxing above the required standard of effort ($9.40 per $1,000) yet still spending below the foundation level of $5,500 per pupil to satisfy the required local minimum contribution by spending at the FY'93 level. Since the philosophy behind the foundation formula is that with each passing year districts should get closer to spending the foundation level of $5,500, M.A.S.S. is advising the legislature to rephrase that section so that it reflects the need for such communities to continue striving to reach the foundation level by contributing at least what they had contributed the previous year rather than reverting to the FY'93 level. If the wording were changed, communities would not be allowed to spend less, but neither would they be required to spend more.

Second, M.A.S.S. feels that if, after reviewing the phrasing of the law concerning the minimum local contribution and the FY'93 level, the legislature decides to maintain the current language, then tuition spent for school choice must be added into the calculations of the formula. For if school choice tuition is not considered as part of the funding districts count in their spending calculations, then those districts start each succeeding year with a lower spending base since the school choice tuition moneys have not been counted into moneys they have spent.

Third, superintendents argue that the use of an **actual** rather that **estimated** Municipal Growth Rate is preferable when utilizing the Municipal Growth Rate to determine how much communities must increase their local contribution. They suggest that the state set a figure for each community or use an average of the last three years for every community. At the present time, the state is using an estimated growth rate of 2.6%.

In addition to these concerns, there are multiple problems regarding the use of the funding formula with regional school districts. As one superintendent declared, "There are as many problems as there are regional

districts." The overall issues are:

1. As the state encourages school districts to regionalize, it has decreased substantially the incentive moneys available. Two years ago, $400 million was allocated for funding regional school districts; last year, this amount had decreased to $175 million; and this year, it decreased again. Thus, while more school districts are regionalizing, there is less money to go around.

2. In many cases, one of the towns in a regional school district will receive equity aid because it has been taxing above the $9.40 level. However, that money goes to the individual town and the regional district does not benefit from the funding. Under the Education Reform Act, $30 million in equity aid has been appropriated for next year and very little will flow to the regional school districts.

3. In regional districts, towns are on unequal footing in assessments. For example, within a region, some towns are already taxing above the $9.40 level and supporting a per pupil expenditure above the foundation level of $5,500. Other towns have not done so and now are faced with rising tax assessments. The towns that are above do not have to increase spending for education, but the towns that are under are unable to make up the gap between the foundation level and the level they are funding. Thus, the regional school district is faced with a decrease in funds.

M.A.S.S. advocates further exploration into the concerns of regional school funding, with particular emphasis upon modifying the calculation of local contributions. A task force studying regional school funding will examine these issue and make strong recommendations for changes. Presently, the Department of Education is hoping that changes can be reflected by changing regulations rather than having to amend the Education Reform Act, itself.

Conclusions

It is still too early to predict the ultimate impact the Massachusetts Education Reform Act of 1993 will have on education in the Commonwealth. The major reforms highlighted in this paper are in their infancy stage, however, hold great promise **if properly implemented**. One recurring fear expressed by members of various education constituencies, i.e., superintendents, teachers, department of education personnel, and higher education faculty, is that much of the law is being implemented without sufficient planning time built into the process. During this initial year alone, at least two major plans are required to be completed: the school improvement plans and those for professional development. Each requires members of the school community to work together in envisioning where they want their school to be in the not-

too-distant future, and upon which roads they wish to travel to arrive at their destination. With the advent of site-based management, it is extremely important that these two plans not be formulated in haste, but rather, representatives from all school community groups lend their voices and visions to the discussions. For reform in Massachusetts education to truly endure, our eagerness to engage in a whirlwind of activities must not permit careful planning to be left out of the process.

Finally, the status of future appropriations is unclear. The Governor has strongly advocated against new taxes, and, with the coming election year, the Democratic legislature is also unwilling to call for additional taxes or an overhaul of the present system. Therefore, the amount of funding actually appropriated for education in the future is in doubt.

Complicating the situation for towns is the continued effect of Proposition 2 1/2, the mandated tax cap on property taxes. As with the issue of raising additional revenue through new or modified taxes, the Governor is adamant that Proposition 2 1/2 remain untouched. Therefore, for towns that prior to the Education Reform Act did not expend the required standard of effort to fund their districts' schools and are below the foundation budget, in order to come up with the necessary funding now must pass an over-ride. Failing that (which is more often the case than not) these towns must take from other town accounts, e.g., public safety, fire department, to come up with the required amount for education. Clearly, these both are issues that must be resolved if the Education Reform Act is destined to make a difference in the education of children in Massachusetts.

1. *An Act Establishing the Education Reform Act of 1993*, G.L. Chapter 69, sec. 1, p. 10.

2. One district, Brockton, lost $600,000 in state funding when students opted to attend school in the neighboring Avon School District.

3. *McDuffy v. Robertson*, (1993).

4. Education Reform Act of 1993, G.L. Chapter 69, sec. 1D.

5. *Ibid.* at sec. 1E.

6. *Ibid.* at sec. 1D, (ii).

7. *Ibid.* at sec. 1D, (iii).

8. Mass. General Laws, Chapter 69, Sec. 29, sec. 1G.

9. *Ibid.*, at Section 80.

10. *Ibid.*, Sec. 70.

11. *Ibid.*

12. *Ibid.*, at Section 17.

13. Massachusetts General Laws, Chapter 71, Section 38Q.

14. *Ibid.*, at Section 84.

15. *Ibid.*, at Section 73.

16. *Ibid.*, at Section 74.

17. *Ibid.*, at Section 59C.

18. Massachusetts General Laws, Chapter 71, Section 42.

19. *Ibid.*, at Section 37H.

20. For further elaboration, please *see* P. G. Anthony and G. B. Rossman, "Massachusetts Educational Reform at the Crossroads," *International Journal of Educational Reform*, vol. 2, no. 1 (January 1993).

21. The state formula uses a weighted system in that different levels of students (early childhood, high school, elementary, etc.) and different types of students (at-risk, special education, etc.) are assessed different expenditure levels.

22. Massachusetts General Laws, Section 55, sec. 89.

23. Massachusetts uses a system of prototypes, where students are assigned to 1 of approximately 8 different categories, which are based on the amount of time the student spends out of the regular classroom. For example, a 502.1 student would spend all his/her time in the regular classroom, with just monitoring provided; a 502.4 student would receive special education services in a separate classroom.